

REMARKS

1. An Office Action requiring Applicants to elect a single species for prosecution on the merits was mailed February 23, 2007. In response to the Election/Restriction Requirement, Applicants submit this Response to Election/Restriction Requirement.

Restriction Requirement

2. The Examiner has required the election of a single species for prosecution on the merits. The Examiner alleged that the originally filed claims are directed to the following five (5) patentably distinct species:

- I.* Species 1 – claims 1-13 and 38, directed to an apparatus for processing an ambient sound signal.
- II.* Species 2 – claims 14-23, 24-35, directed to a method for processing an ambient sound signal including the step of feeding to a cochlear implant system.
- III.* Species 3 – claim 36, directed to a method for processing an ambient sound signal including the step of feeding the output signal to a mechanical activator driving an ossicle in the middle ear of a patient.
- IV.* Species 4 – claim 37, directed to a method for processing an ambient sound signal for a binaural system.
- V.* Species 5 – claim 39, directed to a computer readable medium, having a program recorded thereon, where the program is configured to cause a computer to execute a method for processing an ambient sound signal.

No generic claim was identified.

Provisional Election

3. In accordance with 37 CFR § 1.143 and MPEP 818.03(b), Applicants hereby provisionally elect, with traverse, the claims of Species 1, namely, claims 1-13 and 38.

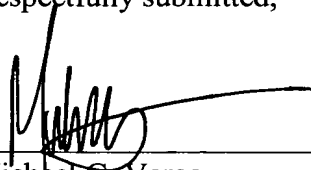
4. Applicants do not intend to dedicate non-elected claims to the public and reserve the right to file divisional applications for the subject matter covered by the non-elected claims.

5. The inventorship for the invention of the elected claims is the same as the inventorship of record in this application.

Conclusion

6. In view of the foregoing, it is respectfully submitted that this application is in condition for allowance and favorable action is respectfully solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael G. Verga', is written over a horizontal line.

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